

**Bovina Town Board
Regular Monthly Meeting
April 13, 2010**

RESOLUTIONS: 2010 – 47 – 57

Board Members Present: Tina Molé, Supervisor; Charles McIntosh, Kenneth Brown, Councilmen; MaryJoan Robson, Evelyn Stewart, Councilwoman; Catherine Hewitt, Town Clerk; Robert Burgin, Highway Superintendent

Others Present: Gale Neale, Delaware County Soil & Water; Jennifer Wallens, Delaware County Planning Department; Mark Rossley; Peter Manning, Delaware County Times Reporter; Ed Weber; Shyamel SenGupta.

The Meeting was opened at 6:00 PM by Supervisor Molé, followed by the Pledge of Allegiance.

Gale Neale from Delaware County Soil and Water and Jennifer Wallens from the Delaware County Planning Department were present to speak to the Board about the East/West Branch Delaware River Stream Corridor Management Plan. Councilman McIntosh asked if the Town Highway can be a large recipient of this grant program and who makes the determinations on who receives the grant money? Neale said that the highway departments can receive funding through the program. The PAC (Project Advisory Committee) decides the order of priority of projects submitted and then it goes to Delaware County Soil & Water for final selection. Neale suggested that as well as adopting the Memorandum of Understanding (MOU), the Board needs to find someone willing to be a PAC member. McIntosh is going to ask Dominic Gullow if he would be interested in being a PAC member. Councilman Brown asked if an individual as well as a municipality can apply. Neale said that all applications have to be done through the Town because the Town is adopting the MOU, therefore the money has to go through the municipality. McIntosh asked what would happen if an individual as well as a Town applies, who would receive the priority. Neale urged the Board to have both apply. McIntosh asked if the Town Board submits the grant application to the PAC Board. Neale said that the request for pre-application is a very simple one page document. Highway Superintendent Burgin asked if this was funded at 100% matching. Neale said that no money is needed from the applicant, however, if a project can be matched to some extent, it will mean more to Soil & Water.

TITLE: ADOPTION OF THE EAST AND WEST BRANCH DELAWARE RIVER STREAM CORRIDOR MANAGEMENT PLANS

WHEREAS, The Delaware County Soil and Water Conservation District (DCSWCD) and New York City Department of Environmental Protection (NYCDEP) have worked closely with a local Project Advisory Committee, the Town of Bovina and other watershed stakeholders to develop the East Branch Delaware River (EBDR) and West Branch Delaware River(WBDR) Stream Corridor Management Plans(SCMPs) which takes a science based, long term management approach to the streams in the basin; and

WHEREAS, The Delaware County Board of Supervisors declared lead agency for the adoption of both SCMPs and coordinated the environmental review with the other involved agencies, towns, and villages as a Type 1 action under 6 NYCRR Part 617 of the State Environmental Quality Review Act (SEQRA); and

WHEREAS, Delaware County Board of Supervisors issued a negative declaration under SEQRA for the adoption of the EBDR and WBDR SCMPs, Resolution No. 206, on October 22nd, 2008; and

WHEREAS, the Delaware County Board of Supervisors have adopted the EBDR and WBDR SCMPs by Resolution No. 207, on October 22nd, 2008; and

WHEREAS, The EBDR and WBDR SCMPs address water quality and economic vitality issues as defined by local communities and regional experts; and

WHEREAS, The Town of Bovina has adopted and supports the goals of the Delaware County Action Plan for water resource protection; and

WHEREAS, The Town of Bovina as adopted and supports the goals of the Delaware County All-Hazards Mitigation Plan; and

WHEREAS, The DCSWCD and the Town of Bovina recognize that the EBDR and its tributaries are a key element of the identity of the Pepacton Reservoir watershed, and the WBDR and its tributaries are a key element of the identity of the Cannonsville Reservoir watershed, and

WHEREAS, The DCSWCD and the Town of Bovina have worked cooperatively on stream management issues relevant to both public and private interests; and

WHEREAS, The DCSWCD and the Town of Bovina desire to work cooperatively to implement the EBDR and the WBDR SCMPs for the common benefit of both parties, protection of the natural resources and the interests of the broader watershed stakeholders;

NOW, THEREFORE, BE IT RESOLVED, The Town of Bovina recognizes, and adopts the East and West Branch Delaware River Stream Corridor Management Plans as guidance documents that can assist the Town and its landowners with addressing long term management of the East and West Branch watersheds in a manner that is consistent with the protection of public and private property, the protection of natural resources, goals and strategies for water quality protection, and economic opportunities as defined in the plan, and in a way that will provide the Town of Bovina, its landowners and visitors with multiple benefits.

2010-48 It was moved by Brown, seconded by Robson to adopt the East and West Branch Delaware River Stream Corridor Management Plans. All in favor, 5 ayes, 0 nay's.

It was further noted, in regards to the above resolution, that this is not for emergency situations. There will be no reimbursements for anyone who does a job and wants to be reimbursed for that job. Councilman McIntosh asked if there is a project estimate, should that estimate be submitted with the application. Gale Neale said that an estimate should accompany the application as that gives an idea of what funds will be needed. McIntosh asked if Neale feels that this program will overload CWC. Neale said absolutely, this is new, but they'll do the best they can. McIntosh asked if all funding will go to projects, or will some go to administration. Jennifer Wallens said that 10% will go to administration. Mark Rossley understands that there is no reimbursement but if a Town has a project, will this program work like FEMA? Neale said it would not.

2010-49 The minutes of the March 9, 2010 meeting were approved as amended. Councilman McIntosh also made a correction to a statement he made at the March meeting regarding the rental of the roadside brush cutter. The cost was \$5,000 per month, with a total of \$10,000 for two months. It was moved by McIntosh, seconded by Stewart to accept the March minutes as amended. All in favor, 5 ayes, 0 nay's.

2010-50 The GENERAL bills (47-59) were audited prior to the meeting and approval for payment was moved by Brown, seconded by Robson. All in favor, 5 ayes, 0 nay's.

2010-51 The LIGHTING bill (4-4) was audited prior to the meeting and approval for payment was moved by Robson, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

2010-52 The WATER bills (9-12) were audited prior to the meeting and approval for payment was moved by McIntosh, seconded by Brown. All in favor, 5 ayes, 0 nay's.

2010-53 The SEPTIC bills (8-9) were audited prior to the meeting and approval for payment was moved by Robson, seconded by Stewart. All in favor, 5 ayes, 0 nay's.

2010-54 The HIGHWAY bills (33-50) were audited prior to the meeting and approval for payment was moved by McIntosh, seconded by Robson. All in favor, 5 ayes, 0 nay's.

2010-55 The Highway Material Bid Opening was held at 12 Noon, April 13, 2010.

Present: Tina Molé, Supervisor; Robert Burgin, Highway Superintendent; Charles McIntosh, Councilman; Catherine Hewitt, Town Clerk.

Bids were received from the following Companies: Cobleskill Stone Products, Inc., LaFever Sand & Gravel, Delaware Bulldozing Corp., Clark Companies, Suit-Kote Corp., Schulz's Trucking, Kilpatrick Farm Products, Todd Trucking, Otsego Iron & Metal, Delaware Valley Propane.

Bids were awarded as follows:

Otsego Iron & metal – all pipe products

Cobleskill Stone – all Limestone Products

#1A Washed – 8.50 FOB/ton

#1B Washed – 7.00 FOB/ton

#1 ST Washed – 7.00 FOB/ton

#1 Washed – 7.00 FOB/ton

#3 Washed - 7.00 FOB/ton

1 & #2 Blend Washed – 7.00 FOB/ton

Todd Trucking – trucking of all Limestone Products from Cobleskill Stone – 7.27/ton

Kilpatrick Farm Products – trucking sand/grit – from Bloomville – 3.30/yd – 25 yd load

From Davenport – 9.30/yd – 25 yd load

From Oneonta – 6.20/ton (Seward Sand & Gravel)

Schulz's Trucking - \$85.00 per hour, for local products hauling from 4/1/2010 to 4/30/2011, if fuel prices go to \$3.50 or above, trucking goes to LaFever Excavating at \$95.00/hour or Delaware Bulldozing at \$95.00/hour.

Suit-Kote – Winter mix/Summer mix - \$72.00/ton.

Delaware Valley Propane – Option A – lock in price \$1.699/gal, terms from May 2010 to April 2011.

Cobleskill Stone – Asphalt Concrete Products

LaFever Sand & Gravel

#2 Round Stone – 9.00/yd

-2" - 6" Cobbles – 5.75/yd

Rough Cobbles – 5.75/yd

-2" Crushed Stone – 12.00/yd

-3/4" Crushed Gravel – 9.00/yd

Delaware Bulldozing

Bank Run Gravel – 3.80/yd

Screened 2" Gravel – 6.25/yd

5/8" Screened Sand – 6.75/yd

Clark Companies

Bank Run Gravel – 3.90/yd

Screened 2" Gravel – 6.70/yd

5/8" Screened Sand – 7.50/yd

It was moved by Brown, seconded by McIntosh to accept the Highway Material Bids as presented. All in favor, 5 ayes, 0 nay's.

Supervisor Molé said that she had asked Tom Hilson to look into the possibility of the Bovina Water District getting a filter waiver. Hilson found that it cannot be done because the water system had to be constructed before 1992. The possibility of a second well is still going to be pursued. Molé said that according to Hilson, the previous Town Board and the Supervisor had the Bovina Water System designed the way it is because they thought that someday filtering would have to be done.

2010-56 The Vehicle Policy was given to the Board members prior to the meeting for review. It was moved by Robson, seconded by Stewart to accept the Vehicle Policy. All in favor, 5 ayes, 0 nay's. The Clerk will add the Vehicle Policy to the Employee Handbook.

Supervisor Molé gave the Board members copies of two letters from the Delaware County Fair Board of Directors in regards to their loss of a horse barn from arson in November 2009. The Fair Board is asking each Town in the County to donate \$500 to the rebuilding project. No action was taken.

Supervisor Molé and Highway Superintendent Burgin attended the Department of Labor Meeting regarding the prevailing wage requirements. This will affect the garbage haulers, fuel delivery and other vendors who do work for the Town. Each individual job will have a PRC number and an application is sent to the Department of Labor. Sole Proprietor's are exempt but will still have to file paperwork with the Town. Councilwoman Stewart asked when the Refuse Contract comes up. Supervisor Molé said that it was renewed this spring. Stewart asked about a clause giving either party 30 days notice to terminate the contract.

Supervisor Molé said that the Department of Health has completed lead/copper tests and it has not exceeded the limit. There is no e-coli.

FINANCE COMMITTEE – Councilwoman Stewart said that she and Councilwoman Robson met and went through the monthly bills. She did not meet with Bookkeeper, Joe Hanley but he has said that the Annual Report will be done by May 1, 2010.

HIGHWAY COMMITTEE – Councilman McIntosh said that he met with Highway Superintendent Burgin. He said that the highway department is almost ready to start working the roads, and that it seems like the roads are in pretty good shape this spring. McIntosh said that the highway garage is proving the need for the new building and allowing the crew to keep more equipment in under cover. The men have made the broom that is used to sweep the roads into a front mount unit. It is mounted on the front of the dump truck and works much better. McIntosh is going to ask the Bookkeeper, Joe Hanley to put together a comparison of fuel costs from the 2008, 2009 and 2010 heating season, end of September to end of April. He thinks that it might be good to compare the electric bills as well. McIntosh said that Burgin has recently purchased pipe products at last years prices which is a savings to the highway budget.

TRANSFER STATION/PLAYGROUND - Councilwoman Robson has stopped by the playground and it looks like it's in good shape. There is one spindle on the fence that is broken and will need to be replaced. She will talk with the Sean Trimbell and remind him that he will need to check on the safety of the playground equipment and keep the mulch raked out. Robson said that she checks in at the Transfer Station at least twice a month. She's concerned about the overage that continues to be a problem with the C&D bin. Supervisor Molé said that she has spoken to Wayne Reynolds about the C&D bin. He told her that the Town can purchase a tarp for the bin at a cost of about \$500. Councilwoman Stewart has recently seen a contractor with a pickup truck full of C&D dumping it in the bin. There is a limit of one 55 gallon drum allowed. Robson feels that a letter should go out to the contractor telling him of the violation and that he needs to adhere to the rules. She asked if perhaps a sign could be posted. Councilman Brown said that care needs to be taken if a tarp is put over the C&D bin. Water can accumulate in the tarp and end up in the bin anyway. He thinks it might be better to put a roof over the bin.

BUILDINGS – Councilman Brown has set May 1, 2010, 7:30 AM, as Community Hall clean out the basement day. There was a brief discussion on furniture placement in the Community Hall. There continues to be an issue with not putting chairs and tables away. Brown confirmed with Supervisor Molé that there was a grant forthcoming. Molé said that she has received confirmation on a \$5,000 grant. Brown had a list of items that need to be completed at the Community Hall with that grant. The Town Clerk needs a new light in her office which will be about \$150. Brown also presented a proposal to make the Community Hall basement more user friendly, particularly the kitchen. He showed the Board an estimate from D-C Remodeling and Repair for a total of \$5,529.75. Councilman McIntosh noted that it was brought up at the last M-ARK meeting that contractor's have to be certified to work in any house built before 1978, and there are not enough classes to get the contractor's certified. Supervisor Molé said that there is an incentive to contractor's to turn in those that are not certified. Molé said that there is a need for things at the Highway Department. Councilwoman Stewart asked what sort of equipment the Highway Department needed. Molé replied, new trucks. McIntosh said that Highway Superintendent Burgin had a list of needs up his sleeve. Councilman Brown said that the Highway Department will always have a list and he feels that it's important to make the space downstairs more

usable. McIntosh said that, years ago, the Community Hall was used for different organizations in the Town to hold dinners and fund raisers. Molé said that the Shared Services with Andes is looking at a shared Court with Bovina. McIntosh asked if our Justice would go to Andes Court. Molé said that that is what the consultant is looking into. Brown asked if Bovina would lose the money from fines. Molé said she is unsure about that at this point. Brown said he is in favor of the kitchen project. McIntosh, Stewart and Robson agreed that the kitchen should be done.

2010-57 It was moved by Robson, seconded by Stewart to go ahead with the kitchen remodel. All in favor, 5 ayes, 0 nay's.

Brown asked when the project could be started and Molé said that there has to be an executed contract from the State before anything could be done.

HIGHWAY SUPERINTENDENT REPORT

Highway Superintendent Burgin reported that the men have recently completed all of the training required for 2010. He needs to schedule Violence in the Workplace Training for all Town employees. This is a 1 ½ to 2 hour training, it's mandatory and must be done annually.

Burgin said that the crew has been sweeping the roads and patching pot holes. The Town of Hamden has moved in with the brush cutter and they will be here for approximately two weeks. There is no charge for this as it will be a shared service and the work will be traded back and forth. The crew will be starting on the road work soon. Burgin has located a couple of tandem trucks that he will be going to look at. He's looking to replace the 1988 International. He has been researching a tractor and mower and is waiting to hear from one other company. He will have his findings for the Boards review at the May meeting. Burgin said that there are a few missing road signs in the Town and the Insurance does not cover sign loss. He has put together a proposal to replace the missing signs and with the yearly deductible of \$250, it's not cost effective. Supervisor Molé asked Burgin if he had put in an order to replace the missing signs and he said he had not because he was waiting for an answer from the Insurance Representative. Councilwoman Robson said it's very discouraging to replace signs when they are still being taken.

With no further business, the meeting was adjourned at 7:45 PM.

Respectfully submitted,

Catherine Hewitt
Town Clerk